

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DAVID RUNYAN : Case No.: C-1-01-414
Plaintiff : (Judge Spiegel)
-vs- : MOTION OF DEFENDANTS FOR
 : ADDITIONAL TIME TO RESPOND
HAROLD GABBARD, et al : TO PLAINTIFF'S MOTION
 : FOR INTEREST
Defendants :

*** **

Now come the defendants, by and through counsel, and hereby move the Court for an additional fourteen (14) days in which to file its memorandum in opposition to plaintiff's motion to reopen case. A memorandum is presented herewith.

s/ Jack C. McGowan

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MEMORANDUM

In support of its motion for an extension of time and pursuant to Federal Rule of Civil Procedure 6(B), counsel for defendants states that plaintiff's counsel and defendants' counsel are discussing a resolution of the motion and an additional fourteen (14) days is needed to fully explore whether the motion can be

amicably dealt with or whether a hearing is necessary.

No previous extensions have been requested. Further, counsel for defendant states that this motion is not being made for the purposes of delay.

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CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of December, 2003, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Robert B. Newman, Esq., Suite 1401, 617 Vine Street, Cincinnati, Ohio 45202 and Stephen R. Felson, Esq., Suite 1401, 617 Vine Street, Cincinnati, Ohio 45202.

s/ Jack C. McGowan
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